

ORIGINAL

M. S#015 : PNE

State of New York, held in and for the  
County of New York, at 60 Centre Street  
New York, New York, on  
the 23 day of August, 2007

PRESENT: HON. JOAN MADDEN, JUSTICE

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

EX PARTE MOTION OFFICE

This Document Relates To:

CHRISTIAN HOLINKA,

Plaintiff

-against-

A.W. CHESTERTOWN COMPANY, et. al.,

Defendant.



Index No. 114120

APPROVED  
FOR THE PAYMENT  
OF MOTION FEES  
ONLY

020472 ORDER TO SHOW CAUSE

Upon reading and filing the Affirmation of Greg A. Dadika, Esq., ~~sworn to on~~ August 21, 2007, together with the exhibits annexed thereto, and all the pleadings and proceedings had herein, it is:

**ORDERED** that Plaintiff Christian Holinka show cause at IAS Part II of this Court to be held in and for the County of New York, at the Supreme Court of the State of New York, County of New York at 60 Centre Street, New York, New York on the 12th day of September, 2007 at 9:30 a.m. 351

a.m. why an Order should not be entered preclude plaintiff's experts, Drs. Moline and Strauchen, from testifying that the Bunsen burner pads and heat mittens at issue caused Plaintiff's mesothelioma.

INDEX NUMBER 114120 YEAR 2006  
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**ORDERED** that service of a copy of this Order to Show Cause and the papers upon which it is based, be made by hand upon Plaintiff's counsel, Benjamin Darche, Esq., Weitz & Luikenberg,

180 Maiden Lane, New York, NY 10038-4925, and all other defendants and third-party defendants by facsimile to their respective counsel on or before Aug. 28 2007, which shall be deemed good and sufficient service;

**ORDERED** that answering papers, if any, are to be served by hand upon counsel for Defendant, Reed Smith, LLP, Princeton Forrestal Village, 136 Main Street, Suite 250, Princeton, NJ 08543, Attention: Greg A. Dadika, Esq., on or before the 10<sup>th</sup> day of Sept 2007, by 5:00 p.m.

ENTER:

HON. JOAN MADDEN, JUSTICE